

Compliance Assessment Report

Report ID:
CAR_NRW0034013

This form will report compliance with your permit as determined by an NRW officer

Site	Worldcare Wales Ltd	Permit Ref	UP3794FZ			
Operator/Permit holder	World Care (wales) Ltd					
Regime	Waste Operations					
Date of assessment	30/11/2018	Time in	10:30	Out	12:45	
Assessment type	Site Inspection					
Parts of the permit assessed	The CAR Sub-criteria listed below					
Lead officer's name	Briscoe, Ross					
Accompanied by	Lombardi, Karl					
Recipient's name/position	Lee Jones/ Site Manager / Director / TCM	Date issued	14/12/2018			

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
A1 - Specified by permit	C3	1.1.2
B3 - Infrastructure - Site drainage engineering (clean and foul)	C3	2.1.2
C1 - General Management - Staff competency/training	C3	1.4.3
C2 - General Management - Management system and operating procedures	C3	5.7.1, 1.7.1
C3 - General Management - Materials acceptance	C3	1.1.4
C4 - General Management - Storage, handling labelling and Segregation	C3	4.6.1
D1 - Incident Management - Site security	C3	3.2.1
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F4 - Amenity - Pests/birds and scavengers	A	
F5 - Amenity - Deposits on road	A	

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,

O = Ongoing non-compliance, not scored.

Number of breaches recorded	7	Total compliance score (see section 5 for scoring scheme)	28
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If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

This site inspection was carried out on Friday 30th November 2018 by Natural Resources Wales officers Ross Briscoe (Senior Environment Officer) and Karl Lombardi (Environment Officer).

Present was Lee Jones of World Care (Wales) Limited, Clare Walters of Ceri Environmental Consulting Limited, the appointed consultants working on behalf of World Care (Wales) Limited and Dave Roberts, Conwy and Denbighshire Compliance Manager for North Wales Fire and Rescue Service.

The visit commenced with a walk around the permitted area of the site in order to familiarise those present with current working practices. Numerous discussions took place throughout between those present which primarily focussed upon the Fire Prevention and Mitigation Plan (FPMP) which had recently been revised. These discussions included how the FPMP would be implemented and the potential changes that could be made on site in order to ensure that the minimum standards within the current FPMP guidance issued by Natural Resources Wales is met.

Weather conditions throughout the inspection were dry with light cloud passing overhead. Underfoot, conditions were damp with minor small puddles and surface water.

Although open, the site remained quiet throughout the visit with no waste material being accepted, processed or dispatched. Operatives were present carrying out duties which at the time appeared to mainly involve cleaning and tidying of the sites operational areas.

Although the central area of the site appeared clear of waste material, large quantities of waste was stockpiled on site and was located around the edges and towards the rear of the site.

The highway outside appeared to have been recently swept clean and was clear of mud or debris. Empty skips were positioned outside of the site gates on the grass verge directly in front of the site and within the site entranceway.

Throughout the inspection no vermin, pests, odour, litter or noise was noted to be of concern.

Whilst walking around the site, numerous non-compliances were observed which were discussed, further details of these non-compliances are outlined below.

Discussions also took place on site upon exempt waste operations, health and safety and site written procedures.

Following an inspection of the permitted area, those present proceeded into the site office where further discussion took place on the FPMP. In addition, discussions included the coding and classification of waste material, notably how material received at this site is processed before being moved off site, in particular, when waste material is

moved to the neighbouring aggregate recycling facility. Written documentation and procedures were also discussed within the site office.

Before leaving, a summary was given to the site manager and an indication that should action not be taken to resolve the non-compliances then further action may be taken in order to return the site into compliance, this may involve the serving of a notice.

Non-Compliances

A1 - Specified by permit, Permit Condition 1.1.2, Compliance Classification Scheme Category 3 breach.

Waste material was observed outside of the permitted area. This was along the right-hand boundary of the site behind the Trommel and picking line and up to the rear of the site towards the stored plasterboard waste. In addition, inert waste material was also straddling the boundary between the permitted area and the permitted area of the neighbouring site operated by Worldcare Recycling Limited. Wood from the wood bay had also fallen over the site boundary into the neighbouring yard.

Currently it is difficult to identify the site boundaries due to the quantity of waste stored on site. This is particularly evident along the boundary with Worldcare recycling Limited and the opposite boundary behind the mixed waste stockpile (See image 1). The boundaries of the site need to be clearly defined and fit for purpose so that waste material is not placed or found to be spilling outside of the permitted area. In addition, as highlighted below, the boundary of the site must comply with the conditions outlined within the site permit (condition 3.2.1) and as you have detailed within your current working plan. Permit condition 1.1.2 outlines that no deposit of waste shall take place outside of the permitted area, therefore all waste material currently located outside of the permitted area must be brought back within the permitted area. This breach of permit condition has been recorded as a minor category 3 non-compliance.

B3 - Infrastructure - Site drainage engineering (clean and foul), Permit Condition 2.1.2, Compliance Classification Scheme Category 3 breach.

The site drainage system on site is currently not fit for purpose. Due to the damaged kerbing within the site entrance, contaminated surface water (silt laden) was observed flowing off site via the site entrance gates and directly into the highway drains on the public highway (See image 2). It was established upon the inspection that it is unclear as to where the site drainage system discharges to. It is unknown as to if the drainage is to surface water, combined sewer or the foul network. Aside from satisfying the issue from an FPMP perspective (detailed below) you need to be aware of the drainage system on site and ensure that all surface water from site is discharge appropriately. Please also note that an interceptor's purpose is to remove hydrocarbons and alike from the surface water, so this should not be relied upon as a means of dealing with contaminated surface water. Condition 2.1.2 (Table 2.1) sets out the standards for the site drainage system which must be complied with. This breach of permit condition has been recorded as a minor category 3 non-compliance.

C1 - General Management - Staff competency/training, Permit Condition 1.4.3, Compliance Classification Scheme Category 3 breach.

Due to the number of non-compliances identified upon the inspection, it is apparent that the conditions of the permit and the procedures outlined within your working plan, along with the specified operating techniques are not being followed. This suggests that staff on site are not fully aware of the requirements or are not implementing them correctly. Operatives need to be aware of permit conditions in order to avoid non-compliances which ultimately results in pollution of the environment. You should consider training on site in an attempt to improve permit understanding and reduce the risk of non-compliance. This breach of permit condition 1.4.3 has been recorded as a minor category 3 non-compliance.

C2 - General Management - Management system and operating procedures, Permit Condition 5.7.1, Compliance Classification Scheme Category 3 breach.

Permit condition 5.7.1. states that the operator shall manage and operate the activities in accordance with a written fire prevention plan using the current, relevant fire prevention plan guidance. In summary, following revision, World Care (Wales) Limited's FPMP (Version 6.0, November 2018) falls short of the requirements set out in Natural Resources Wales' current FPMP Guidance. During the inspection both officers from Natural Resources Wales and the representative from North Wales Fire and Rescue Service provided comments and feedback on the current plan both on the written content and on how the plan would physically be implemented on site. Notable comments include -

- The drainage system and discharge from site is unclear. It is therefore impossible to detail how firewater will be dealt with on site. Different methods of addressing firewater issues are detailed within your plan, however as discussed on site these methods are not practical and questions would remain regarding their implementation on site should a fire occur. It was therefore suggested that an investigation into the current drainage system is undertaken to fully understand the current set up, then once completed the FPMP can be updated taking this into account.
- Throughout your FPMP, it details that records will be made of key events such as on-site incidents. The location of where these records will be made and kept should be specified.
- Your FPMP must detail the amount and type of waste received **daily** and details of how this will be managed. Currently your FPMP does not detail the amount and type received on a daily basis.
- Clarification is required on the maximum storage capacity of the site. The current figure referenced within the plan is the current permitted limit of 4,999.
- The water supply details should be confirmed inline with section 20 of the current Natural Resources Wales FPMP guidance.

It is also noted throughout your FPMP that reliance is placed upon techniques used to deal with a previous fire at the site. As pointed out on site this should not be looked upon to provide adequate reasoning for any current FPMP. Circumstances may have changed since this previous fire took place (2013) some of which may be beyond your control, so you should ensure that any methods to be relied upon are appropriate, fit for purpose and based on current facts and information.

As discussed on site, you should now review your current FPMP in line with Natural Resources Wales' current FPMP guidance. Once revised, Natural Resources Wales will not be undertaking a full review of the document unless it becomes apparent that this is needed. The onus is on you as a permit holder to ensure that the document complies with the current Natural Resources Wales FPMP guidance and at all times remains appropriate and reflects the operations and techniques currently carried out on site. You should also note that in addressing any of the points raised above it should not be relied upon to mean that the measures are considered to represent appropriate measures covering every eventuality through operation of the permit. Your FPMP should be kept under constant review to ensure measures remain effective and ensure that the plan is fully implemented on site at all times.

As a result of your FPMP not meeting the current Natural Resources Wales FPMP guidance a minor category 3 non-compliance has been recorded against permit condition 5.7.1.

C2 - General Management - Management system and operating procedures, Permit Condition 1.7.1, Compliance Classification Scheme Category 3 breach (Score consolidated due to multiple CAR sub-criteria breaches).

From the observations made on site it is clear that the working plan (management system) and operating procedures on site are not being followed and implemented properly. In addition, your current working plan does not appear to accurately reflect what is taking place on site, notably the site drainage and site security sections, the waste deposit,

handling, storage and dispatch sections, and the site inspections and maintenance section. You should review this documentation to ensure that activities on site are taking place in accordance with the document. This breach of permit condition is likely to be a root cause for the other non-compliances identified on site. As a result, a minor category 3 non-compliance has been recorded against permit condition 1.7.1 (Consolidated).

C3 - General Management - Materials acceptance, Permit Condition 1.1.4, Compliance Classification Scheme Category 3 breach.

Wastes on site are not being appropriately stored within skips and bays as required by permit condition 1.1.4. The unprocessed mixed waste stockpile, the stockpile of inerts, the stockpile of plasterboard and the wood stockpile are all beyond capacity of what can be stored within skips and bays constructed in accordance with condition 2.1. The general volume of waste stored on site is of concern. The stockpiles of waste are piled high and some stockpiles are wedged in behind other stockpiles. Of concern is the quantity of plasterboard which is being stored on site towards the rear. This waste appears to have been located on site for a considerable period of time indicated by its weathered appearance and lack of plasterboard shape or form (See image 3). The quantity of this waste should be reduced on site with waste being removed to a suitably permitted facility. The breach of this permit condition has been recorded as a category 3 non-compliance.

C4 - General Management - Storage, handling, labelling and Segregation, Permit Condition 4.6.1 (Table 4.6), Compliance Classification Scheme Category 3 breach.

Condition 4.6.1 (Table 4.6) of the site permit specifies storage standards for waste with specified hazardous properties or forms. Within Table 4.6, requirement 'e' specifies that combustible wastes are only permitted if stored in bays provided with an impermeable surface and sealed drainage system with access to firefighting equipment. These requirements were not observed to be in place on site. Combustible wastes (wood, mixed waste) was observed without these provisions. In addition, wastes which are likely to produce polluting or contaminating run off must also be stored with specified provisions (Table 4.6 'c'), notably that certain (inert & degradable household) wastes must be stored upon areas of specific infrastructure (sealed drainage, impermeable pavement, hardstanding and drainage that prevents run-off from the wastes into adjacent waterbodies or storm water drains). You must ensure that the wastes specified within Table 4.6 are stored in accordance with the requirements set out with Table 4.6. The breach of this permit condition has been recorded as a category 3 non-compliance.

D1 - Incident Management - Site security, Permit Condition 3.2.1, Compliance Classification Scheme Category 3 breach.

At present the site security does not meet the standards which are specified within condition 3.2.1 (Table 3.2) of the site permit. The fence which surrounds the site at the rear and along the right-hand side of the site is damaged, leaning over, appears to be missing and is being bent over due to sheer quantity of waste placed upon it (See image 4). The permit condition requires inspections to take place daily and defects to be made secure by temporary repair which shall then be repaired within 7 working days of the damage being detected. As throughout the inspection we were focussing on fire prevention it is important that the security of the site remains effective in order to prevent any unauthorised access. Officers were informed that the land towards the rear of the site is often used as a footpath even though it is not officially designated. You must ensure that the security of the site is maintained to the standards specified by the permit or unless otherwise agreed in writing. This non-compliance has been recorded as a category 3 breach.

To summarise the following non-compliance have been recorded

A1 – Category 3 breach – 4 Compliance Classification Scheme (CCS) points

B3 – Category 3 breach – 4 CCS points

C1 – Category 3 breach – 4 CCS points

C2 – Category 3 breach – 4 CCS points

C2 – Category 3 breach – 4 CCS points (Score consolidated due to multiple CAR sub-criteria breaches)

C3 – Category 3 breach – 4 CCS points

C4 – Category 3 breach – 4 CCS points

D1 – Category 3 breach – 4 CCS points

Total number of CCS points recorded for site inspection on 30 November 2018 – 28.

The total number of CCS points from this inspection (28) added together with those already accrued throughout the 2018 compliance year so far (32) is a total of 60 points. This at present places you within compliance band D.

The number of non-compliances observed upon the inspection is of concern. Action must be taken to resolve the non-compliances. Further details of action required can be found within section 4 of this report. As indicated above, should appropriate action not be taken Natural Resources Wales will consider the serving of a notice in an attempt to return the site to compliance and ensure the environment and human health are protected.

Thank you for your time.

Regards

Ross Briscoe

Senior Environment Officer (Waste Regulation)

ross.briscoe@cyfoethnaturiolcymru.gov.uk

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) order 2012.

Image 1



Image 2



Image 3



Image 4



EPR Compliance Assessment Report

**Report ID:
CAR_NRW0034013**

This form will report compliance with your permit as determined by an NRW officer

Site	Worldcare Wales Ltd	Permit Ref	UP3794FZ
Operator/Permit holder	World Care (wales) Ltd	Date	30/11/2018

Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition. Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			
C1	C3	Ensure that all staff on site including Technically Competent Management are aware of the conditions of the Environmental Permit and associated documentation (Working plan & referenced operating techniques).	31/01/2019
B3	C3	Carry out remedial action to site drainage infrastructure so that it meets the standards and requirements outlined within the permit and provide firm assurance to Natural Resources Wales in written form of the location of site drainage system discharge.	28/02/2019
A1	C3	Ensure that all waste material associated with permit UP3794FZ is stored within the designated permitted area and that waste material currently stockpiled on site is not allowed to pass over the site boundary.	31/01/2019
C4	C3	Ensure all wastes with specified forms as indicated within table 4.6 of the site permit are stored in accordance with the criteria outlined.	31/01/2019
C3	C3	Ensure that excess waste material which cannot be contained within skips and bays is removed from site so that permit conditions are complied with.	31/01/2019
D1	C3	Ensure that site security fence is reinstated to meet the standards outlined within the permit and prevent unauthorised access.	31/01/2019
C2	C3	Review and update site Fire Prevention & Mitigation Plan so that it meets the requirements of the current Natural Resources Wales Fire Prevention & Mitigation Plan guidance v2.0. Ensure that operations on site are taking place in accordance with conditions or Environmental Permit, Working Plan and documentation referenced within Table 1.2 operating techniques of condition 1.7.1 of your Environmental Permit.	28/02/2019

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. Health and Safety Executive, local authorities) on environmental issues
- Carrying out statistical analysis, research and development on environmental issues
- Providing public register information to enquirers
- Investigating possible breaches of environmental law
- Assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.